

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-004984

07/26/2016

COMMISSIONER JERRY BERNSTEIN

CLERK OF THE COURT
J. Calkins
Deputy

IV-D ATLAS NO. 001260032201
STATE OF ARIZONA, EX REL, DES
PHILIP MCAULIFFE

PHILIP MCAULIFFE
8134 BEECH CT
CANAL WINCHESTER OH 43110

AND

CHRISTINE MCAULIFFE

CHRISTINE MCAULIFFE
223 S LOGAN AVE
MINDEN NE 68959

AG-CHILD SUPPORT-EAST VALLEY
OFFICE

IV-D ENFORCEMENT REVIEW HEARING
CHILD SUPPORT ARREST WARRANT ISSUED

Courtroom: 304 - SEF

11:18 a.m. This is the time set for Enforcement Review Hearing arising from Petitioner's *Petition to Enforce Child Support* filed on April 15, 2016. Petitioner/Father, Philip McAuliffe ("Father"), is present telephonically on his own behalf. Respondent/Mother, Christine McAuliffe ("Mother"), is neither present nor represented by counsel. The State is represented by Assistant Attorney General, Kathie Pearson.

A record of the proceedings is made digitally in lieu of a court reporter.

Philip McAuliffe was sworn.

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Counsel for the State advises the Court of the State's position and recommendations.

Father testifies.

Based upon the testimony presented herein,

THE COURT FINDS Mother in contempt of Court for failure to appear today and for failure to comply with a valid support order of which Mother had knowledge. Mother willfully failed to make support payments as previously ordered or some reasonable portion thereof, despite her ability to do so.

Child Support Arrest Warrant Issued

IT IS ORDERED that a Child Support Arrest Warrant issue to bring Mother before the Court. The cash purge release amount is set at **\$5,000.00**.

ANY MONIES PAID AS AND FOR PURGE SHALL BE FORWARDED TO THE CLERK OF THE COURT/CLEARINGHOUSE AND APPLIED TOWARD SUPPORT/ARREARAGE PAYMENTS.

ISSUED: Child Support Arrest Warrant.

If Mother pays the purge prior to being arrested, Father must personally go to Courtroom 304, 222 E. Javelina Ave., Mesa AZ 85210 and obtain a new court date from Comm. Bernstein's staff before the arrest warrant will be quashed. Mother must present the receipt showing the cash purge has been paid in full, and must also sign a document acknowledging the new court date. After doing so, the arrest warrant will be quashed.

11:28 a.m. Matter concludes.

It is the responsibility of the party obligated to pay support/maintenance to pay the support to the following:

**Support Payment Clearinghouse
P. O. Box 52107
Phoenix, Arizona 85072-2107**

Payment should show the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

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WARNING: If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

IT IS ORDERED that at any time the Income Withholding Order is not paying the full amount of the child support obligation, Mother shall pay the difference between the court-ordered child support obligation and what is paid through the Income Withholding Order directly to the Support Payment Clearinghouse.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

Communication with the Court

The parties are advised that since this is an open Title IV-D case, the State is an interested party; therefore the State must be endorsed on all matters pertaining to child support and must also be served with any petitions that involve child support.

**The Office of the Assistant Attorney General
Department of Economic Security – Child Support Enforcement**

**Physical
125 East Elliot Road
Gilbert, AZ 85225**

**Mailing
P. O. Box 2390
Gilbert, AZ 85299-2390**

A party cannot engage in any *ex parte* communication with the Court (i.e., communication directed to the Court without knowledge of the other party). Therefore, for the Court to consider any request, all copies of any correspondence must be provided to the opposing parties.

Your pleading/motion must also tell the judicial officer the following:

- That the motion/pleading was filed with the Clerk of the Court.
- The date you delivered a copy of the motion to the other parties.
- The address to which the copy was sent to the other parties.
- Whether the delivery was by mail or by hand.

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NOTE: If the above instructions are not followed, the pleading/motion will be rejected and not considered by the Court and will subject the filing party to re-filing their request.

PLEASE NOTE: This courtroom uses an electronic recording system for the record. All CDs and videotapes will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Forms to request a recording of a proceeding are available in the Self-Service Centers and in the FTR courtrooms. You may also request to purchase a copy of a CD of a hearing in a courtroom are directed to call **605-506-7100 (leave details on voice mail)** or **email** your request to: ers@superiorcourt.maricopa.gov.

Father/Mother is directed to the Self-Service Center of the Maricopa County Superior Court if he/she believes there is a significant and/or ongoing change of circumstance warranting modification of this child support order.

The **Self-Service Center** of the Maricopa County Superior Court located at 222 W. Javelina, Mesa, Arizona provides forms and instructions on filing various documents. The parties may also obtain forms from the Self-Service Center website at: <http://www.superiorcourt.maricopa.gov/superiorcourt/self-servicecenter/forms/>

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.